

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DAVID BURNETT, and DAVID NELSON
as representatives of a class of similarly
situated persons, and on behalf of the
WESTERN GLOBAL AIRLINES, INC.
EMPLOYEE STOCK OWNERSHIP
PLAN,

Plaintiffs,

v.

PRUDENT FIDUCIARY SERVICES LLC,
MIGUEL PAREDES, JAMES K. NEFF,
CARMIT P. NEFF, JAMES K. NEFF
REVOCABLE TRUST DATED
11/15/12, CARMIT P. NEFF REVOCABLE
TRUST DATED 11/15/12, WGA TRUST
DATED 8/16/13, and JOHN DOES 1-10,
Defendants.

C.A. No. 1:22-cv-00270-RGA-JLH

JOINT STATUS REPORT

Pursuant to the Court’s September 15, 2023 order (ECF No. 74), Plaintiffs David Burnett and David Nelson (“Plaintiffs”), and Defendants Prudent Fiduciary Services LLC, Miguel Paredes, James K. Neff, Carmit P. Neff, James K. Neff Revocable Trust Dated 11/15/12, Carmit P. Neff Revocable Trust Dated 11/15/12, WGA Trust Dated 8/16/13, And John Does 1-10 (“Defendants”) (collectively, the “Parties”), by and through their undersigned counsel, hereby submit the following Joint Status Report:

1. On August 15, 2023, the United States Court of Appeals for the Third Circuit entered a Summary Affirmance of this Court’s Order denying the Defendants’ motion to compel arbitration. *See* ECF No. 73. The Third Circuit’s mandate issued on September 6, 2023. *Id.*

2. Under Fed. R. Civ. P. 12(a)(4)(A), the deadline for Defendants to respond to the Complaint is September 20, 2023. Defendants have confirmed that they will be filing Answers to the Complaint and have requested a three-week extension of the deadline to do so. Plaintiffs do not oppose this request.

3. The Parties are scheduled to confer pursuant to Fed. R. Civ. P. 26(f) on Thursday, September 21, 2023, and will file a proposed case schedule and discovery plan under Rule 26(f)(2) within 14 days of that conference.

Dated: September 20, 2023

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